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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,741	05/27/2005	Goro Katsuyama	2271/74479	9810
23432 7590 08/24/2007 COOPER & DUNHAM, LLP 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036			EXAMINER DUBNOW, JOSHUA M	
			ART UNIT 2861	PAPER NUMBER
			MAIL DATE 08/24/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Office Action Summary</b></p>	<p>Application No.</p> <p align="center">10/536,741</p>	<p>Applicant(s)</p> <p align="center">KATSUYAMA ET AL.</p>	
	<p>Examiner</p> <p align="center">Joshua M. Dubnow</p>	<p>Art Unit</p> <p align="center">2861</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 7-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :05/27/2005, 02/08/2007, 07/30/2007..

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Group I (claims 1-6) in the reply filed on July 19, 2007 is acknowledged.
2. Claims 7-27 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on July 19, 2007.

### ***Claim Objections***

3. Claims 1, 2, and 4-6 are objected to because of the following informalities: The terms "backward" and "forward" and the directions to which they refer are not clearly defined. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by

**Katsuyama (U.S. Publication # 2003/0052956).**

Considering **claim 1**, Katsuyama discloses (Figures 2 and 4) a printer comprising a flat top face (3b) and a slanted front face (front sides of side covers 4 and housing 2), the bottom of which recedes backward (Figure 4).

Considering **claim 2**, and as applied to claim 1 above, Katsuyama discloses that the printer further comprises a paper discharge tray (23) that protrudes forward at the lower portion of the front face (Figures 2, 4).

Considering **claim 3**, and as applied to claim 2 above, Katsuyama discloses that the paper discharge tray is tiltable upward and downward by rotating about support shafts (24) (paragraph 0037).

Considering **claim 4**, and as applied to any of claims 1 through 3 above, Katsuyama discloses that the printer further comprises a paper feed tray (20) that protrudes forward at the lower portion of the slanted front face (Figures 2, 4).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Katsuyama (U.S. Publication # 2003/0052956)** in view of **Rasmussen et al. (U.S. Patent # 4,728,963)**.

Considering **claim 5**, and as applied to any of claims 1 through 4, Katsuyama discloses a printer comprising all of the claimed limitations discussed above.

Katsuyama fails to disclose an operations unit protruding forward at a portion of the front face.

However, Rasmussen et al. teaches (Figures 1 and 2) an inkjet printer with a control panel (28) that controls different options relating to the printing operation (column 3 lines 29-32). The control panel protrudes forward from the front face (Figures 1, 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the printer of Katsuyama with the teaching of Rasmussen et al. in order to include an operations unit on the front face of the printer. This would allow a user to easily control the different printing operations and indicate any necessary selection of possible options.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Katsuyama (U.S. Publication # 2003/0052956)** in view of **Rasmussen et al. (U.S. Patent # 4,728,963)** further in view of **Hwang (U.S. Publication # 2003/0035040)**.

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Considering **claim 6**, and as applied to any of claims 1 through 5, Katsuyama as modified by Rasmussen et al. discloses a printer comprising all of the claimed limitations discussed above.

Katsuyama as modified by Rasmussen et al. fails to disclose that a portion of the top face including the front end is formed as an openable top cover, and the bottom side of the front face of the top cover recedes backward.

However, Hwang teaches an imaging device (Figure 1) with a top surface (14) that includes the front end that pivots open (paragraph 0012).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the inkjet printer of Katsuyama and Rasmussen et al. with the teaching of Hwang in order for the front part of the top cover to pivot open. Because the front face of Katsuyama recedes backward, the bottom side of the front face of Hwang would recede backward as well when modifying the printer of Katsuyama. This change would allow a user to access the components and mechanism inside the printer when necessary (paragraph 0012).

### **Conclusion**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hwang (U.S. Publication # 2004/0056941), Dwyer et al. (U.S. Publication # 2003/0081104), Hunter (U.S. Patent # 6,914,698), Scarton et al. (U.S. Patent # 6,152,630).

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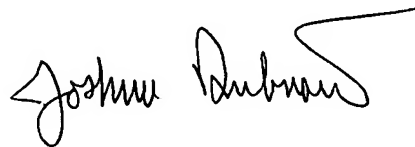
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua M. Dubnow whose telephone number is 571-270-1337. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Luu can be reached on 571-272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**MATTHEW LUU**  
**SUPERVISORY PATENT EXAMINER**



**Joshua M Dubnow**  
**Examiner**  
**Art Unit 2861**

August 13, 2007